

Fill in this information to identify the case:

Debtor 1 Richard Robert Hernandez & Juanita Josephine Hernandez

Debtor 2
(Spouse, if filing)

United States Bankruptcy Court for the: Northern District of California

Case number 1653166

Official Form 410S1

Amended Notice of Mortgage Payment Change

12/15

If the debtor's plan provides for payment of postpetition contractual installments on your claim secured by a security interest in the debtor's principal residence, you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

Name of creditor:
Wells Fargo Bank, N.A.

Court claim no. (if known): 3

Date of payment change:

Must be at least 21 days after date
of this notice

04/01/2019

New total payment:

Principal, interest, and escrow, if any

\$ 3840.20

Last 4 digits of any number you use to
identify the debtor's account:

9 8 9 3

Part 1: Escrow Account Payment Adjustment

1. Will there be a change in the debtor's escrow account payment?

- ☐ No
- ☒ Yes. Attach a copy of the escrow account statement prepared in a form consistent with applicable nonbankruptcy law. Describe the basis for the change. If a statement is not attached, explain why:

Current escrow payment: \$ 361.67

New escrow payment: \$ 350.58

Part 2: Mortgage Payment Adjustment

2. Will the debtor's principal and interest payment change based on an adjustment to the interest rate on the debtor's variable-rate account?

- ☒ No
- ☐ Yes. Attach a copy of the rate change notice prepared in a form consistent with applicable nonbankruptcy law. If a notice is not attached, explain why:

Current interest rate: _____%

New interest rate: _____%

Current principal and interest payment: \$ _____

New principal and interest payment: \$ _____

Part 3: Other Payment Change

3. Will there be a change in the debtor's mortgage payment for a reason not listed above?

- ☒ No
- ☐ Yes. Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification agreement.
(Court approval may be required before the payment change can take effect.)

Reason for change:

Current mortgage payment: \$ _____

New mortgage payment: \$ _____

Part 4: Sign Here

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number.

Check the appropriate box.

☒ I am the creditor.

☐ I am the creditor's authorized agent.

I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.

X

/s/Edina Hadzic

Date 03/20/2019

Signature

Print: HADZIC, EDINA

First Name

Middle Name

Last Name

VP Loan Documentation

Title

Company Wells Fargo Bank, N.A.

Address MAC N9286-01Y

Number Street

1000 Blue Gentian Road

Address 2

Eagan

MN

55121-7700

City

State

ZIP Code

Contact phone 800-274-7025

NoticeOfPaymentChangeInquiries@wellsfargo.com

Email

UNITED STATES BANKRUPTCY COURT

Northern District of California

Chapter 13 No. 1653166

Judge: Stephen L. Johnson

In re:

Richard Robert Hernandez & Juanita Josephine Hernandez

Debtor(s).

CERTIFICATE OF SERVICE

I hereby certify that this Notice, including all attachments, is being served on or before March 21, 2019 via filing with the US Bankruptcy Court's CM ECF system and/or by mailing or providing a copy of this document to a vendor for mailing: By U.S. Postal Service First Class Main Postage Prepaid

Debtor:

By U.S. Postal Service First Class Mail Postage Prepaid

Richard Robert Hernandez & Juanita Josephine Hernandez
68 E. Mission St

San Jose CA 95112

By U.S. Postal Service First Class Mail Postage Prepaid

N/A

Debtor's Attorney:

By U.S. Postal Service First Class Mail Postage Prepaid

David A. Boone
Law Offices of David A. Boone
1611 The Alameda

San Jose CA 95126

By U.S. Postal Service First Class Mail Postage Prepaid

N/A

Trustee:

By U.S. Postal Service First Class Mail Postage Prepaid

Devin Derham-Burk
Chapter 13 Trustee
P.O. Box 50013

San Jose CA 95150-0013

/s/Edina Hadzic



Return Mail Operations
PO Box 14547
Des Moines, IA 50306-4547

RICHARD R HERNANDEZ
JUANITA J HERNANDEZ
68 E MISSION STREET
SAN JOSE CA 95112

Escrow Review Statement

For informational purposes only

Statement Date: February 13, 2019

Loan number:

Property address:
68 E MISSION STREET
SAN JOSE CA 95112-6319

Customer Service



Online
wellsfargo.com



Telephone
1-800-340-0473



Correspondence
PO Box 10335
Des Moines, IA 50306



Hours of operation
Mon - Fri 7 a.m. - 7 p.m. CT



To learn more, go to:
wellsfargo.com/escrow

We accept telecommunications relay service calls

PLEASE NOTE: If you are presently seeking relief (or have previously been granted relief) under the United States Bankruptcy Code, this statement is being sent to you for informational purposes only. The summaries below are based on the terms of the loan and are provided for informational purposes only.

These amounts are governed by the terms of the loan unless otherwise reduced by an order of the bankruptcy court. Because the amounts billed for the escrow items can change over time, we review the escrow account at least once per year to ensure there will be enough money to make these payments. Once the review is complete, we send the escrow review statement, also known as the escrow account disclosure statement.

Here's what we found:

- **Required Minimum Balance:** The escrow account balance is projected to fall below the required minimum balance. This means there is a **shortage**.
- **Payments:** As of the **April 1, 2019** payment, the contractual portion of the escrow payment **increases**.

The escrow account has a shortage of
\$254.06

Part 1 - Mortgage payment

Option 1

Pay the shortage amount over 12 months

	Previous payment through 03/01/2019 payment date	New payment beginning with the 04/01/2019 payment
Principal and/or interest	\$3,489.62	\$3,489.62
Escrow payment	\$361.67	\$371.75
Total payment amount	\$3,851.29	\$3,861.37

Option 1: No action required

Starting **April 1, 2019** the new contractual payment amount will be **\$3,861.37**

Option 2

Pay the shortage amount of \$254.06

	Previous payment through 03/01/2019 payment date	New payment beginning with the 04/01/2019 payment
Principal and/or interest	\$3,489.62	\$3,489.62
Escrow payment	\$361.67	\$350.58
Total payment amount	\$3,851.29	\$3,840.20

Option 2: Pay shortage in full

Starting **April 1, 2019** the new contractual payment amount will be **\$3,840.20**

See Page 2 for additional details.



RICHARD R HERNANDEZ
JUANITA J HERNANDEZ

Wells Fargo Home Mortgage
PO Box 51120
Los Angeles, CA 90051-5420

Note: If you are presently seeking relief (or have previously been granted relief) under the United States Bankruptcy Code, this coupon is being provided for informational purposes only. If your Chapter 13 plan calls for your Chapter 13 Trustee to make the on-going post-petition mortgage payments, please contact your attorney or the Trustee's office before directly sending any amounts relating to this escrow shortage

If you choose to pay the shortage in full as referenced in Option 2, detach this coupon and mail it along with a check for \$254.06 to the address that appears on this coupon.

This payment must be received no later than **April 1, 2019**.

Part 2 - Payment calculations

For the past review period, the amount of the escrow items was \$3,137.00. For the coming year, we expect the amount paid from escrow to be \$4,207.00.

How was the escrow payment calculated?

To determine the escrow payment, we add the projected escrow items to be paid over the next 12 months. We base these projected amounts on any escrow items that may have been paid in the past and any future anticipated payments to be made. We then divide the amounts by 12 payments to determine the escrow amount.

The chart below includes any actual escrow disbursements as well as any shortage that may have been identified for the past three analysis periods up through the date of the analysis.

Escrow comparison

	09/16 - 08/17 (Actual)	04/17 - 03/18 (Actual)	04/18 - 02/19 (Actual)	04/19 - 03/20 (Projected)		# of months		New monthly escrow amount
Property taxes	\$1,973.66	\$2,107.30	\$1,070.00	\$2,140.00	÷	12	=	\$178.33
Property insurance	\$1,715.00	\$1,882.00	\$2,067.00	\$2,067.00	÷	12	=	\$172.25
Total taxes and insurance	\$3,688.66	\$3,989.30	\$3,137.00	\$4,207.00	÷	12	=	\$350.58
Escrow shortage	\$670.35	\$16.48	\$350.80	\$254.06	÷	12	=	\$21.17**
Total escrow	\$4,359.01	\$4,005.78	\$3,487.80	\$4,461.06	÷	12	=	\$371.75

**This amount is added to the payment if Option 1 on page 1 is selected.

Projected escrow account activity over the next 12 months

To determine if there will be a shortage or overage in the account, we calculate whether the amount of the lowest projected escrow balance will be greater or less than the required minimum balance. This is determined by subtracting the required minimum balance from the lowest projected balance. If the outcome is positive, there is an overage. If it is negative, there is a shortage. The calculation is below:

Lowest projected escrow balance March, 2020		-\$326.13	(Calculated in Part 3 - Escrow account projections table)
Bankruptcy adjustment [†]	+	\$773.23	
Minimum balance for the escrow account [‡]	-	\$701.16	(Calculated as: \$350.58 X 2 months)
Escrow shortage	=	-\$254.06	

[†]This adjustment of \$773.23, is the remaining amount of the pre-petition escrow shortage included in our proof of claim being paid through the confirmed bankruptcy plan.

[‡]The minimum balance includes a cash reserve to help cover any increase in taxes and/or insurance. To calculate the cash reserve for the escrow account, we add the yearly escrow payments, and divide by 12. We take this amount and multiply it by 2 as allowed by state laws and/or the mortgage contract to determine the cash reserve.

Part 3 - Escrow account projections

Escrow account projections from April, 2019 to March, 2020

Date	Payments to escrow	What we expect to pay out	Description	Projected escrow balance	Balance required in the account
Mar 2019			Starting balance	-\$326.09	\$701.20
Apr 2019	\$350.58	\$0.00		\$24.49	\$1,051.78
May 2019	\$350.58	\$0.00		\$375.07	\$1,402.36
Jun 2019	\$350.58	\$0.00		\$725.65	\$1,752.94
Jul 2019	\$350.58	\$0.00		\$1,076.23	\$2,103.52
Aug 2019	\$350.58	\$0.00		\$1,426.81	\$2,454.10
Sep 2019	\$350.58	\$0.00		\$1,777.39	\$2,804.68
Oct 2019	\$350.58	\$0.00		\$2,127.97	\$3,155.26
Nov 2019	\$350.58	\$1,070.00	SANTA CLARA COUNTY (W)	\$1,408.55	\$2,435.84
Dec 2019	\$350.58	\$2,067.00	NATIONWIDE INS	-\$307.87	\$719.42
Jan 2020	\$350.58	\$0.00		\$42.71	\$1,070.00
Feb 2020	\$350.58	\$0.00		\$393.29	\$1,420.58
Mar 2020	\$350.58	\$1,070.00	SANTA CLARA COUNTY (W)	-\$326.13	\$701.16
Totals	\$4,206.96	\$4,207.00			

Part 4 - Escrow account history

Escrow account activity from April, 2018 to March, 2019

Date	Deposits to escrow			Payments from escrow			Description	Escrow balance		
	Actual	Projected	Difference	Actual	Projected	Difference		Actual	Projected	Difference
Apr 2018							Starting Balance	-\$4,164.25	\$664.90	-\$4,829.15
Apr 2018	\$617.52	\$332.44	\$285.08	\$0.00	\$0.00	\$0.00		-\$3,546.73	\$997.34	-\$4,544.07
May 2018	\$308.76	\$332.44	-\$23.68	\$0.00	\$0.00	\$0.00		-\$3,237.97	\$1,329.78	-\$4,567.75
Jun 2018	\$308.76	\$332.44	-\$23.68	\$0.00	\$0.00	\$0.00		-\$2,929.21	\$1,662.22	-\$4,591.43
Jul 2018	\$617.52	\$332.44	\$285.08	\$0.00	\$0.00	\$0.00		-\$2,311.69	\$1,994.66	-\$4,306.35
Aug 2018	\$308.76	\$332.44	-\$23.68	\$0.00	\$0.00	\$0.00		-\$2,002.93	\$2,327.10	-\$4,330.03
Sep 2018	\$308.76	\$332.44	-\$23.68	\$0.00	\$0.00	\$0.00		-\$1,694.17	\$2,659.54	-\$4,353.71
Oct 2018	\$308.76	\$332.44	-\$23.68	\$0.00	\$0.00	\$0.00		-\$1,385.41	\$2,991.98	-\$4,377.39
Nov 2018	\$308.76	\$332.44	-\$23.68	\$1,070.00	\$1,053.65	\$16.35	SANTA CLARA COUNTY (W)	-\$2,146.65	\$2,270.77	-\$4,417.42
Dec 2018	\$308.76	\$332.44	-\$23.68	\$2,067.00	\$1,882.00	\$185.00	NATIONWIDE INS	-\$3,904.89	\$721.21	-\$4,626.10
Jan 2019	\$670.43	\$332.44	\$337.99	\$0.00	\$0.00	\$0.00		-\$3,234.46	\$1,053.65	-\$4,288.11
Feb 2019 (estimate)	\$3,616.70	\$332.44	\$3,284.26	\$0.00	\$0.00	\$0.00		\$382.24	\$1,386.09	-\$1,003.85
Mar 2019 (estimate)	\$361.67	\$332.44	\$29.23	\$1,070.00	\$1,053.65	\$16.35	SANTA CLARA COUNTY (W)	-\$326.09	\$664.88	-\$990.97
Totals	\$8,045.16	\$3,989.28	\$4,055.88	\$4,207.00	\$3,989.30	\$217.70				



